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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,310	07/20/2005	Clacs Karlebratt	P/1629-69	6018

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OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

MILLER HARRIS, AMBER R

ART UNIT	PAPER NUMBER
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1797

MAIL DATE	DELIVERY MODE
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12/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/525,310	Applicant(s) KARLEBRATT, CLAES	
	Examiner Amber Miller-Harris	Art Unit 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>02/22/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "2", "6" and "8" have all been used to designate the rings. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: "fulfil" (page 1, line 30). Spelling correction to "fulfill".

Appropriate correction is required.

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: "in order to prevent that particles bigger

than different defined" (page 1, lines 10-11), "Since the screen is build up of to a cylindric package" (page 1, lines 31-32), "The invention is described closer below" (page 2, lines 14-15), "shows a side view in section of a screen according to the invention" (page 2, lines 18-19), "shows in a view enlarged a partial view in section of the rings and the slits between these" (page 2, lines 22-23).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbins US 5,249,626 in view of Simon et al. US 5,122,271.

For claim 1, the Gibbins reference discloses a screen for gases intended to prevent passage of particles bigger than different defined dimensions, said screen (i) is built up of to a cylindrical package connected rings (figure 1, object 12), which are individually separated by spacers (figure 2A object 48) for creating slits between the rings (figure 1, object 26), which have dimensions adapted to the actual particles (column 4, lines 1-5), characterized in that the rings consist of sheet- formed washers having a centrally located hollow formation (figure 2A, object 30) limited by a continuous strip extending into the plane of extension of the washers, said strip has a predetermined width and a thickness which continuously decreases in direction towards the hollow formation (figure 5), the width of the slits being increased in the flow direction of the actual medium (column 7, lines 12-34) and that the spacers consist of shoulders on the rings in creating said slits (figure 1, object 48 and 50), said shoulders are provided in a predetermined pattern and number between the rings and around the circumference of the rings at the same time as the rings are kept together into a package by aid of the shoulders (column 5, lines 27-41). The reference does not disclose the width of the slits being increased in the flow direction of the actual medium results in the pressure drop existing over the screen being as low as possible.

The Simons et al. reference the width of the slits being increased in the flow direction of the actual medium results in the pressure drop existing over the screen being as low as possible (column 1, lines 50-55).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Gibbins reference to include the width of the slits being increased in the flow direction of the actual medium results in the pressure drop existing over the screen being as low as possible (Simons et al. column 1, lines 50-55) because without the added stressor of pressure build up, the expected life of the filter greatly increases.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gibbins US 5,249,626 in view of Simon et al. US 5,122,271 as applied to claim 1 above, and further in view of Layne et al. US 3,601,192.

For claim 2, the Gibbins reference does not disclose the rings are kept together into a package by aid of weld-joints extending over the outer periphery of the shoulders.

The Layne et al. reference discloses the rings are kept together into a package by aid of weld-joints extending over the outer periphery of the screen (column 2, lines 54-66). The reference does not explicitly state the weld joints being extended over the outer periphery of the shoulders. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have includes the weld joints being extended over the outer periphery of the screen because the shoulders are on the outer periphery of the rings.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the Gibbins reference to have the rings kept together into a package by aid of weld-joints extending over the outer periphery of the shoulder (Layne et al. column 2, lines 54-66) because this keeps the rings in a cylindrical shape.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amber Miller-Harris whose telephone number is (571) 270-3149. The examiner can normally be reached on Mon-Thur (6:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on (571) 272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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AH

A handwritten signature in black ink, appearing to read "Walter D. Griffin". The signature is fluid and cursive, with a large, stylized initial "W".

WALTER D. GRIFFIN
SUPERVISORY PATENT EXAMINER